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Attorneys for Defendant
Wachovia Securities, LLC
n/k/a Wells Fargo Advisors, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

GREGORY R. RAIFMAN and SUSAN RAIFMAN, husband and wife, individually and on behalf of their marital community and as Trustees of the RAIFMAN FAMILY REVOCABLE INTERVIVOS TRUST and as beneficiaries of the PALLADIAN TRUST; GEKKO HOLDINGS, LLC, and HELICON INVESTMENTS, LTD..

Plaintiffs,

V.

WACHOVIA SECURITIES, LLC, N/K/A
WELLS FARGO ADVISORS, LLC:

Defendant.

Case No. C 11-02885 SBA

**STIPULATION WITHDRAWING
OPPOSITION AND CONSENTING TO
FILING OF PLAINTIFFS' PROPOSED
SECOND AMENDED COMPLAINT**

Hon. Saundra B. Armstrong

WHEREAS, on March 11, 2013, the Court denied Defendant's motion to dismiss the First Amended Complaint on procedural grounds;

WHEREAS, Plaintiffs' Motion for Leave To File Proposed Second Amended Complaint ("Motion for Leave"), is scheduled for hearing on March 19, 2013; and

WHEREAS, on March 15, 2013, counsel for Defendant advised counsel for Plaintiffs of Defendant's intent to withdraw its opposition to Plaintiffs' pending motion and consent to Plaintiffs' filing the proposed Second Amended Complaint.

NOW THEREFORE, the parties, through their respective counsel, hereby stipulate and agree that:

1. Defendant hereby withdraws its opposition to Plaintiffs' Motion For Leave To File Proposed Second Amended Complaint;

2. Defendant consents to Plaintiffs' filing the [Proposed] Second Amended Complaint, previously filed as Docket No. 105-1, reserving its right to file any appropriate motion directed against it, including a motion to dismiss; and

3. Defendant's time to respond to the First Amended Complaint is hereby adjourned *in die.*

Dated: March 15, 2013

RONALD E. WOOD
JENNIFER L. ROCHE
PROSKAUER ROSE LLP

By: / s / Ronald E. Wood
Ronald E. Wood

Attorneys for Defendant

Dated: March 15, 2013

Tod Aronovitz (*Pro Hac Vice*)
Barbara Perez (*Pro Hac Vice*)
Andrew Zelmanowitz (*Pro Hac Vice*)
ARONOVITZ LAW

By: / s / Tod Aronovitz

Attorneys for Plaintiffs

1 PURSUANT TO STIPULATION, IT IS SO ORDERED.
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Dated: 3/18/13

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5 Hon. Saundra B. Armstrong
6 United States District Judge
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